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TO

Confirm a Provisional Order made by the Local Government Board for Ireland confirming an Improvement Scheme under Part I. of "The Housing of the Working Classes Act, 1890," relating to the City of Belfast.

A.D. 1892.

WHEREAS the Local Government Board for Ireland have made the Provisional Order set forth in the schedule hereto, under the provisions of the Housing of the Working Classes Act, 1890 :

53 & 54 Vict.
c. 70.

And whereas it is requisite that the said Order should be confirmed by Parliament :

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

1. The Order set out in the schedule hereto shall be and the same is hereby confirmed, and shall be construed as part of this Act, and all the provisions thereof shall have full validity and force.

Order
in schedule
confirmed.

2. This Act may be cited as the Local Government Board (Ireland) Provisional Order Confirmation (No. 3) Act, 1892.

Short title.

A.D. 1892.

SCHEDULE.

THE LOCAL GOVERNMENT BOARD FOR IRELAND.

Belfast.

CITY OF BELFAST.

*Provisional Order for confirming an Improvement Scheme under
Part I. of the Housing of the Working Classes Act, 1890.* 5

To the Mayor, Aldermen, and Citizens of the City of Belfast, and to all
others whom it may concern.

41 & 42 Vict.
c. 32.

WHEREAS the city of Belfast is an urban sanitary district under the
provisions of the Public Health (Ireland) Act, 1878, and the mayor, alder-
men, and citizens of the said city, acting by the town council (herein-after
called the local authority), are the urban sanitary authority of the said
district: 10

53 & 54 Vict.
c. 70.

And whereas an official representation for the purposes of Part I. of the
Housing of the Working Classes Act, 1890, has been made to the local
authority that the houses in the area situated between Little Donagall Street,
Stephen Street, Kent Street, and the rear of the houses on the eastern side of
Carrick Hill, including Birch Street, part of Mustard Street, Shields Entry,
and Pepper Hill Court (but excluding Kent Street National School, and four
houses adjoining the same), within the city, are unfit for human habitation,
and that the narrowness, closeness, and the bad arrangement and bad condition
of the houses within the said area, and the want of light and ventilation and
proper conveniences are injurious to the health of the inhabitants of the
said buildings, and that the evils connected with the houses, courts, and streets,
and the sanitary defects in the area cannot be effectually remedied otherwise
than by an improvement scheme for the re-arrangement and reconstruction
of the streets and houses in such area: 15 20 25

And whereas the local authority, being satisfied of the truth of such official
representation, and of the sufficiency of their resources, have passed a
resolution that the area described in the said official representation is an
unhealthy area, and that an improvement scheme ought to be made in respect
of such area: 30

And whereas the local authority after passing the said resolution, made a
scheme for the improvement of the said area, and, for the purpose of making
the scheme efficient for sanitary purposes, have included therein certain
neighbouring lands, the inclusion of which is in the opinion of the local autho-
rity, necessary for the purpose aforesaid: 35

And whereas the said scheme was accompanied by a map, particulars, and estimates, and the said map is referred to in the scheme as the plan prepared by the city surveyor. A.D. 1892.
Belfast.

And whereas the said scheme and estimates are as follows:—

- 5 *Belfast Improvement Scheme, 1892, under the Housing of the Working Classes Act, 1890, made by the Council on 1st day of June 1891.* 83 & 84 Vict.
c. 79.

1. For the improvement of the unhealthy area delineated and indicated on the plan prepared by the city surveyor, and coloured pink, and including the following streets and courts, viz.—Stephen Street, Birch Street, Shields Entry, Peppertill Court, Barryhill Court, and part of Kent Street.

2. To make the scheme efficient for sanitary purposes, it will be necessary to widen the existing approaches to the unhealthy area.

3. And for that purpose to include the lands and buildings delineated and indicated on the said plan and coloured blue.

4. The scheme includes the making of a new street in continuation of Mustard Street, from Stephen Street to Carrick Hill, the widening of Kent Street, from Stephen Street to Carrick Hill, also Stephen Street and Little Donegall Street, and the part of Carrick Hill between Kent Street and Little Donegall Street, on the lines and to the levels shown on the said plan and on the sections, with such deviations and alterations of level, stopping up, and widening, or diversion of existing streets and courts or otherwise as are shown on the said plan, or as may hereafter be determined by the corporation to be necessary or proper, and the sewerage, draining, and paving of such streets or parts thereof respectively.

5. The ground not required for the new street, or for the widening of existing streets, would be let for the erection of buildings or used by the corporation for one or more of the purposes authorised by their Acts.

6. Parts of the lands within the unhealthy area may, from time to time, be purchased without the corporation being required to purchase and deal with the whole of the lands within that area.

The estimated cost of the scheme is:—

| | £ |
|--|--------|
| For land and buildings - - - | 16,500 |
| „ sewerage draining and paving these streets - | 1,500 |
| Add for incidental expenses and exigencies - | 2,000 |

Gross total 20,000

Less value of building ground and capitalized ground

rents to be received thereon - - - 5,000

Nett cost 15,000

SAMUEL BLACK,
Town Clerk.

A.D. 1892.
Belfast.

And whereas the local authority have published the necessary advertisements and served the proper notices, and in the said advertisements it was, amongst other things, stated (as the fact was) that a copy of the said scheme, accompanied by a map annexed thereto, distinguishing the lands proposed to be taken compulsorily, and by particulars and estimates, had been deposited and might be seen in the town clerk's office in the Town Hall, Belfast, and in the Reference Department in the Free Public Library, Royal Avenue, Belfast, at all reasonable hours: 5

And whereas the notices required by the Lands Clauses Acts were duly served upon the several owners or reputed owners, lessees or reputed lessees, and occupiers of the lands and premises included in the said scheme, and proposed to be taken compulsorily: 10

And whereas the local authority have presented a petition, accompanied by a copy of the scheme, to the Local Government Board for Ireland (hereinafter called the Local Government Board), stating (amongst other matters) that the area included in the scheme is in a great measure occupied by a very low class of inhabitants, the majority of whom can scarcely be designated as belonging to the working classes, and that in Belfast there is ample accommodation for the housing of the working classes, and a large number of new houses are constantly being erected for them, and that in the opinion of the petitioners it will not be necessary to make any special provision for the accommodation of the working classes who would be displaced by the scheme from the area referred to. 15 20

And whereas the local authority have deposited in the office of the Local Government Board in Dublin a duplicate of the map which accompanied the said scheme, and the said duplicate is herein-after referred to as the deposited map: 25

And whereas on consideration of the said petition and on proof of the services of the said notices and the publication of the said advertisements, the Local Government Board directed an inquiry to be held in accordance with and for the purposes mentioned in the Housing of the Working Classes Act, 1890, and such inquiry has been held, and a report has been made of the result thereof in accordance with section 19 of the said Act: 30

Now therefore we, the Local Government Board, in pursuance of the powers given to us by and subject to the provisions of the Housing of the Working Classes Act, 1890, do hereby order as follows:— 35

1. We confirm the said scheme, subject to the modifications herein-after mentioned.
2. We declare that the limits of the area comprised in the scheme are the lands and areas described in the said scheme and deposited map and coloured pink and blue in the said map. 40
3. We authorise the said scheme to be carried into execution, subject to the following conditions and modifications:—

(a.) That in clause 1 of the scheme before the words "Stephen Street" there be inserted the words "Little Donagall Street." 45

53 & 54 Vict.
c. 70.

53 & 54 Vict.
c. 70.

(b.) That in clause 5 of the scheme after the word "corporation," there be inserted the words "with the consent of the Local Government Board for Ireland," A.D. 1892.
Belfast.

(c.) That clause 6 be struck out from the scheme and that in substitution for the said clause, a clause be inserted therein in the following terms:—

For the purpose of carrying this scheme into execution the local authority shall be empowered to put in force the powers of the Lands Clauses Acts with respect to the purchase and taking of lands, otherwise than by agreement, with reference to the lands and premises delineated and indicated on the said plan prepared by the city surveyor, and coloured pink and blue therein.

4. The local authority shall not, in the execution of this scheme without the consent of the Local Government Board, purchase or acquire ten or more houses, which, after the passing of the Act of Parliament confirming this Order, have been or on the fifteenth day of December last, were occupied either wholly or partially by persons belonging to the labouring classes as tenants or lodgers unless and until—

(1.) They have obtained the approval of the Local Government Board to a scheme for providing new dwellings for such number of persons as were residing in such houses on the fifteenth day of December last, or for such number of persons as the Board shall, after inquiry, deem necessary, having regard to the number of persons on or after that date residing in such houses and working within one mile therefrom, and to the amount of vacant suitable accommodation in the immediate neighbourhood of such houses, or to the place of employment of such persons, and to all the circumstances of the case; and until they have given security to the satisfaction of the Local Government Board for the carrying out of the scheme.

(2.) The approval of the Local Government Board to any such scheme may be given either absolutely or conditionally, and after the Local Government Board have approved of any such scheme they may approve, either absolutely or conditionally of any modifications in the scheme.

(3.) Every such scheme shall contain provisions prescribing the time within which it shall be carried out, and shall require the new dwellings proposed to be provided under the scheme, to be completed and fit for occupation before the persons residing in the houses in respect to which the scheme is made are displaced: Provided that the Local Government Board may dispense with the last-mentioned requirement, subject to such conditions, if any, as they may deem fit.

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- (4.) Any provisions of any such scheme and any conditions subject to which the Local Government Board may have approved of any such scheme, or of any modifications thereof, or subject to which they may have dispensed with the above-mentioned requirement, shall be enforceable by a writ of Mandamus to be obtained by the Local Government Board out of the High Court. 5
- (5.) If the local authority acquire or appropriate any house for the purpose of this scheme in contravention of the foregoing provisions, or displace or cause to be displaced the persons residing in any house in contravention of the requirements of the scheme, they shall be liable to a penalty of five hundred pounds in respect of every such house, which penalty shall be recoverable by the Local Government Board by action in the High Court, and shall be carried to and form part of the Consolidated Fund of the United Kingdom; provided that the Court may, if it thinks fit, reduce the said penalty. 10 15
- (6.) Subject to the provisions of the scheme the local authority and the Local Government Board and their inspectors shall have and may exercise for any purpose in connection with any scheme under this Order all or any of the powers vested in them under the Public Health (Ireland) Act, 1878, in the same manner in every respect as if the preparation and carrying into effect of such scheme were one of the general purposes of that Act. 20
- Provided that all lands on which any buildings have been erected or provided by the local authority in pursuance of any scheme under this Order shall, for a period of twenty-five years from the passing of the Act of Parliament confirming this Order, be appropriated for the purpose of dwellings, and every conveyance, demise, or lease of such lands and buildings shall be indorsed with notice of this provision. 25 30
- Provided also that the Local Government Board may at any time dispense with all or any of the requirements of this clause, subject to such conditions (if any) as they may deem fit.
- (7.) The local authority shall, if required by the Local Government Board, pay to the said Board a sum to be fixed by the Board in respect of the preparation and issue of any Provisional Order in pursuance of this provision, and any expenses incurred by the Board in relation to any inquiries under this provision, including the expenses of any witnesses summoned by the inspector holding the inquiry, and a sum, to be fixed by the Local Government Board, not exceeding three guineas a day for the services of such inspector. 35 40
- (8.) For the purposes of this Order the expression "labouring class" includes mechanics, artisans, labourers, and others working for wages, hawkers, costermongers, persons not working for wages, 45

41 & 42 Vict.
c. 53.

but working at some trade or handicraft without employing others, except members of their own family, and persons other than domestic servants whose income does not exceed an average of thirty shillings a week, and the families of any of such persons who may be residing with them.

A.D. 1892.
Belfast.

Given under our hands and seal of office this eighth day of April, in the year of our Lord one thousand eight hundred and ninety-two.

(L.S.)

(Signed) GEORGE MORRIS.
H. A. ROBINSON.